

## **REMARKS**

In view of the above amendment and the following discussion, the Applicants submits that none of the claims now pending in the application is anticipated or made obvious under the provisions of 35 U.S.C. § 102 and §103. Thus, the Applicants believes that all of these claims are now in allowable form.

### **I. AMENDMENT TO THE DRAWINGS**

Applicants have amended Figure 1 to add reference numeral 10, referring to the Metropolitan Area Network (MAN), as suggested by the Examiner. In addition, the reference numerals 18 designating the links between MSPx and Custx Premises, was corrected to reference numeral 19. To maintain consistency, Applicants also amended the specification to properly reflect this corrected reference numeral. The Applicants have attached replacement sheets. As such, Applicants respectfully submit all drawings now conform to 37 CFR § 1.84. No new matter is introduced.

### **II. REJECTION OF CLAIMS 1-3, 6-8, 10-12, 15 AND 25 UNDER 35 U.S.C. § 102**

The Examiner has rejected claims 1-3, 6-8, 10-12, 15 and 25 in the Office Action under 35 U.S.C. § 102 as being anticipated by Baum et al. (U.S. 6,771,673, issued on August 3, 2004.)

Applicants have cancelled claims 1-18 and 20-25 without prejudice. Applicants reserve the rights to file one or more continuation applications to continue prosecution of these cancelled claims. Thus, the present rejection is now moot.

### **III. REJECTION OF CLAIMS 4-5, 9, 13-14, 16-18 AND 20-24 UNDER 35 U.S.C. § 103**

#### **A. Claims 4 and 13**

The Examiner has rejected claims 4 and 13 in the Office Action under 35 U.S.C. § 103 as being unpatentable over Baum in view of Lloyd et al. (US Publication 2003/0039212, Published February 27, 2003, herein referred to as "Lloyd".)

Applicants have cancelled claims 4 and 13 without prejudice. Applicants reserve

the rights to file one or more continuation applications to continue prosecution of these cancelled claims. Thus, the present rejection is now moot.

B. Claims 5, 9 and 14

The Examiner has rejected claims 5, 9 and 14 in the Office Action under 35 U.S.C. § 103 as being unpatentable over Baum in view of Miki et al. (US 6,771,662, Issued August 3, 2004, herein referred to as "Miki".)

Applicants have cancelled claims 5, 9 and 14 without prejudice. Applicants reserve the rights to file one or more continuation applications to continue prosecution of these cancelled claims. Thus, the present rejection is now moot.

C. Claims 16-18 and 21-23

The Examiner has rejected claims 16-18 and 21-23 in the Office Action under 35 U.S.C. § 103 as being unpatentable over Baum in view of Tsukamoto et al. (US 6,498,794, Issued December 24, 2002, herein referred to as "Tsukamoto".)

Applicants have cancelled claims 16-18 and 21-23 without prejudice. Applicants reserve the rights to file one or more continuation applications to continue prosecution of these cancelled claims. Thus, the present rejection is now moot.

D. Claims 20 and 24

The Examiner has rejected claims 20 and 24 in the Office Action under 35 U.S.C. § 103 as being unpatentable over Baum in view of Tsukamoto, and further in view of Miki.

Applicants have cancelled claims 20 and 24 without prejudice. Applicants reserve the rights to file one or more continuation applications to continue prosecution of these cancelled claims. Thus, the present rejection is now moot.

**IV. ALLOWABLE SUBJECT MATTER**

The Applicants thank the Examiner for the comments regarding the allowability of

claim 19 if rewritten in independent form. Applicants have amended claim 19 into independent form. As such, the Applicants respectfully request the objection be withdrawn.

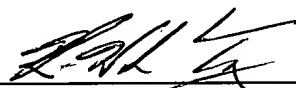
### Conclusion

Thus, the Applicants submit that all of these claims now fully satisfy the requirements of 35 U.S.C. §102 and §103. Consequently, the Applicants believe that all these claims are presently in condition for allowance. Accordingly, both reconsideration of this application and its swift passage to issue are earnestly solicited.

If, however, the Examiner believes that there are any unresolved issues requiring the issuance of a final action in any of the claims now pending in the application, it is requested that the Examiner telephone Mr. Kin-Wah Tong, Esq. at (732) 530-9404 so that appropriate arrangements can be made for resolving such issues as expeditiously as possible.

Respectfully submitted,

11/16/04



Kin-Wah Tong, Attorney  
Reg. No. 39,400  
(732) 530-9404

Moser, Patterson & Sheridan, LLP  
595 Shrewsbury Avenue  
Shrewsbury, New Jersey 07702

**Amendments to the Drawings:**

The attached replacement sheets contain updated formal drawing Fig. 1. All of the Examiner's objections have been addressed. Applicants respectfully submit that the attached drawings now comply with the requirements of 37 CFR § 1.84.

Attachment: Replacement Sheets.